

GOP GIRDS FOR CENSUS BATTLE FIRST TO HOLD JOB, HE'S LEAVING FOR PRIVATE SECTOR

(By Jim VandeHei and John Mercurio)

Fearing the loss of two dozen House seats if his party blinks, Speaker Dennis Hastert (R-Ill.) has tapped former National Republican Congressional Committee Chairman Bill Paxon (N.Y.) to prepare GOP troops for a budget fight over the 2000 Census that could provoke a partial government shutdown.

At Hastert's request, Paxon huddled this week with NRCC Chairman Tom Davis (Va.), Republican media strategist Eddie Mahe and others to help devise a coordinated strategy to block President Clinton's plan to use sampling in the 2000 Census.

"I am one of a group of people trying to figure out how to keep Mr. Bill Clinton from imposing his political calculations on the census," Mahe said in an interview.

The impending battle will erupt in earnest next month when GOP leaders begin working on the funding bill for Commerce, Justice, State, the judiciary and related agencies. During last year's budget negotiations, Republicans and Clinton agreed to put off final decisions on whether to fund the use of sampling until this June, when the results of the Census Bureau's dress rehearsals would be available and the Supreme Court would have ruled on a much-anticipated legal challenge to sampling.

The budget fight follows the High Court's decision in late January that the bureau's plan to use sampling in the decennial for reapportionment of House seats violates the Census Act.

But according to pro-sampling Democrats' interpretation of Justice Sandra Day O'Connor's majority opinion, the federal government can, "if feasible," use sampling for the very different purpose of redistricting, or the redrawing of House district boundary lines, within each state.

Following the court's ruling, Census Bureau Director Kenneth Prewitt said the Clinton administration will seek an increased level of funding to conduct two counts—one using the GOP-backed practice of trying to count every American, the other using the Clinton-endorsed sampling.

Meanwhile, Democrats are trying to amend the Census Act to allow sampling for reapportionment, and Republicans will try to place language in the spending bill that would restrict funding for any sampling practices associated with the census.

The GOP plan, according to informed sources, likely will include a media campaign against Clinton's plan, which most House Democrats support.

It will also include a lobbying campaign to convince Republican Members to stand up to Clinton if he threatens to shut down the government to scare off opposition.

"Everybody knows this is 'do or die' for the party," said one GOP official familiar with the nascent strategy. "We're not going to back down on this."

That spending plan will include a provision preventing the bureau from using statistical sampling, which Hastert and Paxon fear will cost Republicans dozens of House seats in the new millennium.

"The Speaker and virtually every GOP leader believe no single vote will have greater ramifications on the future of the Republican majority than the vote to block President Clinton from changing the way we conduct the census," said one Hastert confidant.

But Democrats understand that if Clinton backs down, Republicans' chances of retaining their majority will increase.

He won't capitulate to GOP demands, according to senior Democratic leadership sources.

"They have never shown any weakness and I don't know why they would," said a top Democratic adviser, who insisted White House officials will shut down the government if Republicans refuse to back down.

Democrats said the Republican moves show they are preparing to allow this battle to result in a shutdown. A government shutdown in 1995 caused their party's support to plummet and ultimately led to a more conciliatory tone among House GOP leaders.

"They weren't able to convince the American people to believe they were justified in doing that in 1995, and I don't see how they would be able to do so in 1999," said Rep. HENRY WAXMAN (D-Calif.), the ranking member of the Government Reform Committee.

"If they do make it a partisan issue and close down three departments of government, they're going to need to spend a lot of money to try to convince people they're not being partisan again," Waxman said. "And I don't think they're going to succeed."

Rep. CAROLYN MALONEY (D-N.Y.), the ranking member of the Government Reform subcommittee on the census, said Democrats can turn back the Republican budget proposal by appealing to "at least 10 Republicans" to support sampling. So far, only three Republicans—Reps. CONNIE MORELLA (Md.), CHRISTOPHER SHAYS (Conn.) and NANCY JOHNSON (Conn.)—have sided with Democrats in the sampling battle.

"I truly believe there are at least 10 Republicans who truly care about their constituents and their country who would not go along with this."

But MALONEY said the GOP media plan "wouldn't surprise me. The Republican machine has been focussing like a laser beam on this subject in their attempts to make sure that blacks, Hispanics and Asians are not counted. It's wrong, and they should stop."

While talk of a government shutdown may be hyperbole by both sides, the political posturing underscores how contentious the upcoming budget debate will be.

Last Congress, Republican and Democratic leaders ended months of bickering over the census by delaying a final decision until after the election. They passed a six-month funding bill and agreed to tackle the tricky topic when the pressure of impending elections subsided and the Supreme Court had ruled on a legal challenge to the sampling plan.

The six-month funding bill expires in June, but HASTERT wants appropriators to start work soon, likely early next month, to provide leadership with as much as time as possible to avert a shutdown.

In the meantime, Paxon is working with several Members and strategists to develop a plan to win the public relations war over the census.

Besides Davis, Mahe and Paxon, House Administration Chairman BILL THOMAS (R-Calif.); Rep. DAN MILLER (R-Fla.), chairman of the Government Reform subcommittee on the census; and two GOP strategists, Bill Greener and Chuck Greener, are intimately involved in the strategizing, sources said.

Paxon's team is considering a paid media campaign to educate voters on the census issue in the weeks leading up to a final vote on legislation and a variety of communications ideas to prevent the PR debacle in the wake of the 1995 government shutdown, the sources said.

GOP leaders have not decided who will run the media campaign or who will pay for it.

In the meantime, HASTERT plans to hand more money to Miller and his census subcommittee to conduct an oversight investigation into how the administration is reacting to the Supreme Court decision on sampling.

He also plans to educate Members on the topic and lobby them to support the leadership's position.

Davis said GOP leaders don't anticipate more than one Republican defecting, though both SHAYS and MORELLA remain opposed to leadership's position, according to their spokesmen. "And we'll pick up some Democrats," he said, though he refused to list any possibilities.

THE CALENDAR

Mr. CRAIG. Madam President, I ask unanimous consent that the Senate now proceed to the consideration, en bloc, of the following bills reported by the Environment and Public Works Committee: Calendar No. 53, S. 67; Calendar No. 56, S. 437; Calendar No. 57, S. 453; Calendar No. 58, S. 460; Calendar No. 59, H.R. 92; Calendar No. 60, H.R. 158; Calendar No. 61, H.R. 233; and Calendar No. 62, H.R. 396.

I further ask unanimous consent that the bills be considered read a third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to any of these bills be printed at the appropriate place in the RECORD, with the above occurring en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROBERT C. WEAVER FEDERAL BUILDING

The bill (S. 67) to designate the headquarters building of the Department of Housing and Urban Development in Washington, District of Columbia, as the "Robert C. Weaver Federal Building," was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 67

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF ROBERT C. WEAVER FEDERAL BUILDING.

In honor of the first Secretary of Housing and Urban Development, the headquarters building of the Department of Housing and Urban Development located at 451 Seventh Street, SW., in Washington, District of Columbia, shall be known and designated as the "Robert C. Weaver Federal Building".

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Robert C. Weaver Federal Building".

Mr. MOYNIHAN. Madam President, it is fitting that we have passed this legislation to name the Department of Housing and Urban Affairs (HUD) Washington, D.C. headquarters after Dr. Robert C. Weaver, adviser to three Presidents, national chairman of the NAACP, and the first African-American Cabinet Secretary.

In 1961, President Kennedy appointed Dr. Weaver to head the Housing and Home Finance Agency, the precursor to the Department of Housing and Urban Development. In 1966, when President Johnson elevated the agency to Cabinet rank, he chose Dr. Weaver to head the department. Bob Weaver was, in Johnson's phrase, "the man for the job." He thus became its first Secretary, and the first African-American to head a Cabinet agency.

Dr. Weaver began his career in government service as part of President Franklin D. Roosevelt's "Black Cabinet," an informal advisory group promoting Federal job and educational opportunities for blacks. The Washington Post called this work—"the dismantling of a deeply entrenched system of racial segregation in America"—his greatest legacy. Indeed it was.

Bob Weaver was my friend, dating back more than 40 years to our service together in the administration of New York Governor Averell Harriman. Dr. Weaver was appointed Deputy Commissioner of Housing for New York State in 1955, and later became State Rent Administrator with Cabinet rank. It was during these years, working for Governor Harriman, that I first met Bob; I was Assistant to the Secretary to the Governor and later, Acting Secretary. Our friendship and collaboration continued through the Kennedy and Johnson administrations. Later, he and I served together on the Pennsylvania Avenue Commission.

Bob Weaver died in July 1997, at his home in New York City. When he died, America—and Washington, in particular (for he was a native Washingtonian)—lost one of its innovators, one of its true leaders. I was privileged to know him as a friend. He will be missed but properly memorialized, I think, if we can get this legislation to name the HUD building after him to President Clinton for his signature.

I wish to thank Senators BOXER, DURBIN, GRAHAM, HOLLINGS, KENNEDY, KERRY, ROBB, SARBANES, and SCHUMER, for cosponsoring S. 67, and I wish to thank the majority and minority leaders for scheduling its expeditious passage.

Mr. President, I ask unanimous consent that my statement, a July 21, 1997 editorial in the Washington Post, and a July 19, 1997 obituary from the New York Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The New York Times, July 19, 1997]

ROBERT C. WEAVER, 89, FIRST BLACK CABINET MEMBER, DIES

(By James Barron)

Dr. Robert C. Weaver, the first Secretary of Housing and Urban Development and the first black person appointed to the Cabinet, died on Thursday at his home in Manhattan. He was 89.

Dr. Weaver was also one of the original directors of the Municipal Assistance Corporation, which was formed to rescue New York City from financial crisis in the 1970's.

"He was catalyst with the Kennedys and then with Johnson, forging new initiatives in housing and education," said Walter E. Washington, the first elected Mayor of the nation's capital.

A portly, pedagogical man who wrote four books on urban affairs, Dr. Weaver had made a name for himself in the 1930's and 40's as an expert behind-the-scenes strategist in the civil rights movement. "Fight hard and legally," he said, "and don't blow your top."

As a part of the "Black Cabinet" in the administration of President Franklin D. Roosevelt, Dr. Weaver was one of a group of

blacks who specialized in housing, education and employment. After being hired as race relations advisers in various Federal agencies, they pressured and persuaded the White House to provide more jobs, better educational opportunities and equal rights.

Dr. Weaver began in 1933 as an aide to Interior Secretary Harold L. Ickes. He later served as a special assistant in the housing division of the Works Progress Administration, the National Defense Advisory Commission, the War Production Board and the War Manpower Commission.

Shortly before the 1940 election, he devised a strategy that defused anger among blacks about Stephen T. Early, President Roosevelt's press secretary.

Arriving at Pennsylvania Station in New York, Early lost his temper when a line of police officers blocked his way. Early knocked one of the officers, who happened to be black, to the ground. As word of the incident spread, a White House adviser put through a telephone call to Dr. Weaver in Washington.

The aide, worried that the incident would cost Roosevelt the black vote, told Dr. Weaver to find the other black advisers and prepare a speech that would appeal to blacks for the President to deliver the following week.

Dr. Weaver said he doubted that he could find anyone in the middle of the night, even though most of the others in the "Black Cabinet" had been playing poker in his basement when the phone rang. "And anyway," he said, "I don't think a mere speech will do it. What we need right now is something so dramatic that it will make the Negro voters forget all about Steve Early and the Negro cop too."

Within 48 hours, Benjamin O. Davis Sr. was the first black general in the Army; William H. Hastie was the first black civilian aide to the Secretary of War, and Campbell C. Johnson was the first high-ranking black aide to the head of the Selective Service.

Robert Clifton Weaver was born on Dec. 29, 1907, in Washington. His father was a postal worker and his mother—who he said influenced his intellectual development—was the daughter of the first black person to graduate from Harvard with a degree in dentistry. When Dr. Weaver joined the Kennedy Administration, whose Harvard connections extended to the occupant of the Oval Office, he held more Harvard degrees—three, including a doctorate in economics—than anyone else in the administration's upper ranks.

In 1960, after serving as the New York State Rent Commissioner, Dr. Weaver became the national chairman of the National Association for the Advancement of Colored People, and President Kennedy sought Dr. Weaver's advice on civil rights. The following year, the President appointed him administrator of the Housing and Home Finance Agency, a loose combination of agencies that included the bureaucratic components of what would eventually become H.U.D., including the Federal Housing Administration to spur construction, the Urban Renewal Administration to oversee slum clearance and the Federal National Mortgage Association to line up money for new housing.

President Kennedy tried to have the agency raised to Cabinet rank, but Congress balked. Southerners led an attack against the appointment of a black to the Cabinet, and there were charges that Dr. Weaver was an extremist. Kennedy abandoned the idea of creating an urban affairs department.

Five years later, when President Johnson revived the idea and pushed it through Congress, Senators who had voted against Dr. Weaver the first time around voted for him.

Past Federal housing programs had largely dealt with bricks-and-mortar policies. Dr.

Weaver said Washington needed to take a more philosophical approach. "Creative federalism stresses local initiative, local solutions to local problems," he said.

But, he added, "where the obvious needs for action to meet an urban problem are not being fulfilled, the Federal government has a responsibility at least to generate a thorough awareness of the problem."

Dr. Weaver, who said that "you cannot have physical renewal without human renewal," pushed for better-looking public housing by offering awards for design. He also increased the amount of money for small businesses displaced by urban renewal and revived the long-dormant idea of Federal rent subsidies for the elderly.

Later in his life, he was a professor of urban affairs at Hunter College, was a member of the Visiting Committee at the School of Urban and Public Affairs at Carnegie-Mellon University and held visiting professorships at Columbia Teachers' College and the New York University School of Education. He also served as a consultant to the Ford Foundation and was the president of Baruch College in Manhattan in 1969.

His wife, Ella, died in 1991. Their son, Robert Jr., died in 1962.

[From The Washington Post, July 21, 1997]

ROBERT C. WEAVER

Native Washingtonian Robert C. Weaver, who died on Thursday in New York City at age 89, had a life of many firsts. Dr. Weaver served as a college president, Cabinet secretary, presidential adviser, chairman of the National Association for the Advancement of Colored People and as a director of the Municipal Assistance Corp., which helped save New York City from financial catastrophe. But his greatest legacy may be the work he did, largely out of public view, to dismantle a deeply entrenched system of racial segregation in America.

Before the landmark decade of civil rights advances in the 1960s, Dr. Weaver was one of a small group of African American officials in the New Deal era who, as part of the "Black Cabinet" pressured President Franklin D. Roosevelt to strike down racial barriers in government employment, housing and education. It was a long way to come for the Dunbar High School graduate who ran into racial discrimination in the 1920s when he tried to join a union fresh out of high school. Embittered by that experience, Bob Weaver went on to Harvard (in the footsteps of his grandfather, the first African American Harvard graduate in dentistry) to earn his bachelor's, master's and doctorate in economics. At another time in America, his university degrees might have led to another career path. For Bob Weaver in 1932, however, those credentials—and his earlier job as a college professor—made him an "associate advisor on Negro affairs" in the U.S. Department of the Interior.

Subsequent work as an educator, economist and national housing expert—and behind-the-scenes recruitment of scores of African Americans for public service—led to his appointment as New York State rent administrator, making him the first African American with state cabinet rank. President John F. Kennedy appointed him to the highest federal post ever occupied by an African American—the Housing and Home Finance Agency. Despite the president's support, however, the HHFA never made it to Cabinet status, because Dr. Weaver was its administrator and southern legislators rebelled at the thought of a black secretary. Years later President Lyndon Johnson pushed through the Department of Housing and Urban Development and named Robert Weaver to the presidential Cabinet.

For the nation, and Robert Weaver, the appointment was another important first. For many other African Americans who found lower barriers and increased opportunity in the last third of the 20th century, Robert Weaver's legacy is lasting.

LLOYD D. GEORGE UNITED STATES COURTHOUSE

The bill (S. 437) to designate the United States courthouse under construction at 338 Las Vegas Boulevard South in Las Vegas, Nevada, as the "Lloyd D. George United States Courthouse," was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 437

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF LLOYD D. GEORGE UNITED STATES COURTHOUSE.

The United States courthouse under construction at 333 Las Vegas Boulevard South in Las Vegas, Nevada, shall be known and designated as the "Lloyd D. George United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Lloyd D. George United States Courthouse".

HURFF A. SAUNDERS FEDERAL BUILDING

The bill (S. 453) to designate the Federal building located at 709 West 9th Street in Juneau, Alaska, as the "Hurff A. Saunders Federal Building," was considered, ordered to be engrossed for a third reading, read the third time, and passed; as follows:

S. 453

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF HURFF A. SAUNDERS FEDERAL BUILDING.

The Federal Building located at 709 West 9th Street In Juneau, Alaska, shall be known and designated as the "Hurff A. Saunders Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Hurff A. Saunders Federal Building".

ROBERT K. RODIBAUGH UNITED STATES BANKRUPTCY COURT-HOUSE

The bill (S. 460) to designate the United States courthouse located at 401

South Michigan Street in South Bend, Indiana, as the "Robert K. Rodibaugh United States Bankruptcy Court-house," was considered, ordered to be engrossed for a third time, and passed; as follows:

S. 460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF ROBERT K. RODIBAUGH UNITED STATES BANKRUPTCY COURTHOUSE.

The United States courthouse located at 401 South Michigan Street in South Bend, Indiana, shall be known and designated as the "Robert K. Rodibaugh United States Bankruptcy Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Robert K. Rodibaugh United States Bankruptcy Courthouse".

HIRAM H. WARD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

The bill (H.R. 92) to designate the Federal building and United States courthouse located at 251 North Main street in Winston-Salem, North Carolina, as the "Hiram H. Ward Federal Building and United States Courthouse," was considered, ordered to a third reading, read the third time, and passed.

JAMES F. BATTIN FEDERAL COURTHOUSE

The bill (H.R. 158) to designate the Federal Courthouse located at 316 North 26th Street in Billings, Montana, as the "James F. Battin Federal Courthouse," was considered, ordered to a third reading, read the third time, and passed.

RICHARD C. WHITE FEDERAL BUILDING

The bill (H.R. 233) to designate the Federal building located at 700 East San Antonio Street in El Paso, Texas, as the "Richard C. White Federal Building," was considered, ordered to a third reading, read the third time, and passed.

RONALD V. DELLUMS FEDERAL BUILDING

The bill (H.R. 396) to designate the Federal building located at 1301 Clay Street in Oakland, California, as the

"Ronald V. Dellums Federal Building," was considered, ordered to a third reading, read the third time, and passed.

REFERRAL OF S. CON. RES. 1

Mr. CRAIG. Madam President, I ask unanimous consent that Senate concurrent resolution 1 be discharged from the Committee on Health, Education, Labor, and Pensions and referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE GOVERNMENT AND THE PEOPLE OF EL SALVADOR ON SUCCESSFULLY COMPLETING FREE AND DEMOCRATIC ELECTIONS

Mr. CRAIG. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 73, which was reported by the Foreign Relations Committee.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 73) congratulating the Government and the people of the Republic of El Salvador on successfully completing free and democratic elections on March 7, 1999.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CRAIG. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 73) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 73

Whereas on March 7, 1999, the Republic of El Salvador successfully completed its second democratic multiparty elections for President and Vice President since the signing of the 1992 peace accords;

Whereas these elections were deemed by international and domestic observers to be free and fair and a legitimate nonviolent expression of the will of the people of the Republic of El Salvador;

Whereas the United States has consistently supported the efforts of the people of El Salvador to consolidate their democracy and

to